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June 7, 2021

Dear Chief Judge Laura Taylor Swain:

I need your help and assistance to have three (3) formal complaints prosecuted and convicted in the Federal Court. I'm age 82, wheelchair bound, disabled woman.

Enclosed is a copy of Complaint which was originally sent to the State Supreme Court, Bronx County, District Attorney's Office, D. Clark; it appears Attorney's Office did not want to process same. Since I did not hear from them, therefore, I respectfully request for this Court to hear the enclosed Complaint. Federal issues involved here. The statute of limitation did not expire!

Residing at Pinnacle Nursing + Rehab Center in Bronx, where I was battered and injured, for no cause; mail intercepted by another; and harassed by two (2) men and endless obscene language for me by one (1) of them; however, facility refuses to press charges on violators. Complaint starts on back of p. 2. There's background information perhaps your staff be interested in doing an investigation on it.

(1) On 3-18-21 assaulted by CNA Vanessa by being punched endlessly; on 4-8-21 (2) gave CNA Ana total of six (6) letters to mail wherein reporting the assault to authorities; Vanessa is her friend - wanted to protect her, she said. So she kept my letters in her car for 11 days. Mgr. made her return them to me. And I mailed them. (Interception of mail and stealing); and (3) Resident Hector Ortiz Diaz for harassment unbearable noise and constant, endless obscene language for me, and →

Damién A Santos w/ Ortiz-Díaz harassed w/ loud talking, singing telling me to go to my room when he saw me in the hallway, riots. I'm a different race - HATE crimes. They didn't stop when asked.

Kindly, charge these violators with crimes. (Both guys asked many times - but continued)

Thank you for your time and attention to this matter.

Respectfully yours,

Genevieve Zietek, Rm 1119
Genevieve Zietek

Pinnacle Multicare Nursing
and Rehab Center
801 Co-op City Blvd.
Bronx, NY 10475

Main tel # 718-239-6500

My floor tel # 718-239-6414

- P.S Please Judge if this is the wrong Court,
kindly send it to correct Court. Want Justice.
Please accept copy of Complaint - 9/20
no energy to rewrite - no computer.

P1 of 5

Bronx County
District Attorney D. Clark
198 E. 161st Street
Bronx, NY 10451

(Tel. 718-590-2000)

Dear District Attorney Clark:

I'm Genevieve Zietek, wheelchair-bound, physically disabled but educated, alert stable woman, age 82. Here, I was assaulted, injured, traumatized on March 18, 2021 by CNA Vanessa for no cause, intent to hurt. Vanessa works here.

Address: % Pinnacle Multicare Nursing and Rehabilitation Center, 801 Co-op City Blvd., Bronx, NY 10475. The main Administration Tel. no. 718-239-6300.

The only way for me to communicate is by writing, No Computer, No Obama phone.

I have requested but ignored by Pinnacle and 2877 Berkley Ave., 45th Precinct, Bronx, NY 10465, Tel. 718-822-5448, to file charges and convict violators for assault, harassment and mail interference (holding) under but not limited to "Violence Against Women Act" in State/Federal Courts.

Now, I look to you to prosecute and max. convict the violators. Justice, please.

Background:

Born in 1938 in Poland of a U.S. born Citizen. I immigrated to America at age 10.

Have a B.S. in Business Administration and Management, Cum Laude, from Mercy College, Dobbs Ferry, 3

Master of Public Administration, Suma Cum Laude,
from NYU; and later Paralegal Certificate, Mercy College,
Dobbs Ferry.

Worked for years in the Accounting
Department at American Cyanamid Co., raised three
children and later worked as a Paralegal.

How I arrived here - Bay Park

On January 17, 2018, I checked in at
Bay Park (now Pinnacle) for a two (2) week Rehab
for two (2) simple fractures to which the facility
agreed. The \$60k + 12k was the initial amt, lot more coming.

Then, they did a financial search, found
I had money \$60k Willed to grandchildren by my
Father and \$12k in checking at the Chase Bank.

Facility wanted this money, they
filed a fraud complaint for Guardianship but I
had an excellent evaluation from NY Elder Care
Consultants, Riverdale, NY (\$350 cost me) and my
strong testimony. Judge Robert T. Johnson had all
this information yet he gave me fraudulent
Order at Bronx Supreme Court that I'm in-
capacitated (not me, he ~~is~~ gives false, bad
Orders) put me under Guardianship for one (1)
year, then I'm not incapacitated! (there was no need for
Guardianship, I had NO outstanding bills, my rent on
auto-pay, my apt. clean, I shopped & cooked, made a
nice appearance.)

Facility took all my money as stated above
plus stimulus \$600, \$600, \$1,400, interest on Chase
account, what happened to safe deposit box w/ my
degrees etc. Gave me NO Bank statements ever.

P2 of 5 D. A., D. Clark

During Accounting period 1-1-20 to 12-31-2020, I had \$151,440.54, possibly \$55,975.54 is left, what source did \$151,440.54 come from? What is my balance? How was it spent?

Just received an incoherent "Annual Report of Guardianship" from 1-20-20 to 12-31-20; it shows NO initial amount of funds in bank or all disbursements.

Joan Bryant of S.S. lied in creating the Complaint and is lying now to defame, slander, libel me.

I checked w/ Ericka Schwartz, Director of Social Services (S.S.) and Jeffrey, Case Mgr. of 11th flr. - my floor, and they didn't say those bad things about me what Joan Bryant reported.

I've been told that facility has been taking my Social Security \$1,130 per mo since Jan. 17, 2018, and also collecting from Medicaid - double accounting - check it out. No notification that I got a raise this January.

Want to know what Guardianship did with my belongings that were in my apt. 115, at Monestary Manor, 2 Fr. Finigan Sullivan Dr, Yonkers, NY. If anything happened to my things they'll be liable.

It was Ordered that \$50.00 be put into my "Resident Funds Ledger" per month - that would be from January 17, 2018 to present. However, the Ledger gives me a balance of \$1,019.15 from 10/01/2020 to 12/31/2020. That's not enough - Where's the rest?

Misses Ericka Schwartz, Director of Social Services; Williams, Nurse Administrator; Asmat, Assistant Nurse Director; and Jeffrey, Case Manager - by Pinnacles own admission that I'm no different now than when I admitted myself for Rehab, not Nursing Home on January 17, 2018. So, I never needed Guardianship - wasted my life all for greed of my money.

Therefore, the Administration is now looking for my own apartment. However, I demand all my

money back, compensation for illegally holding of me against my will-I'm a normal person. Only, then will I move into my apartment.

Judge Johnson Ordered Guardianship for one (1) year; it gave the facility time to find my money, take it and keep it. Stealing! And he locked down my apartment, so I would live at their facility until I die - said Guardianship I have things to do, places to go.

"Nursing News" states Courts rule in favor of facilities but instead should rule in favor of residents. I hear judges get kickback.

The purpose of Court is to fix a problem - to make one whole, not to destroy ones life, as here.

The Assault

A. I'm age 82, wheelchair bound, physically disabled, pleasant (see my education p. 1+2) woman.

On late Thursday morning, 3-18-21 I took a shower, CNA Vanessa was with me. We came back to my room. While she was finishing tying the back of my gown, I moved toward my wheelchair. Things were cordial.

While in my wheelchair, Vanessa started to punch me and punched hard endlessly, for no reason. I thought she was going to kill me - was hurting me. She's about 5'3" and 200#. I screamed for help - no help came.

I put up my arms and hands to cover and protect my breast; she punched me hard like tv boxing. Never been punched like that.

P3 of 5 D.A., D. Clark

Vanessa is overly aggressive with criminal behavior-still afraid of her, saw her in the reception area down stairs

In addition, she put her face about 1" away from mine, pointing and shaking her finger in my face again and again, shouting "you're crazy, you need medication." Not me, she's crazy, needs medication and hospitalization.

She's in my face but people are dying from Covid. (Can't use Pinnacle phone to call Police)

Vanessa had Covid the end of last year-she got it from her mother, stayed home 3 days, still had it, came in to work and gave it to me. Laughed, when I told her, you gave me Covid.

CNA tells me Vanessa steals from residents, stole my St. Pio Prayer Book-vicious act.

After the assault she bad mouths me to staff and residents-who treated me differently. Intent there to hurt me, on assault on harassment

She continued to harass me after 3-18-21 assault
On Wed., 3-24-21 about 2:00pm, she was by the elevator looking at me said, "sick people here."
On Thurs., 4-8-21 at 1:15pm she was on the food truck duty, directed at me, said loudly "crazy people here." (More incidents yet.)

My health has been affected from the assault and harassment; during the attack my heart was beating fast, still does at times; respiratory problems (breathing); and my arms esp. right arm, painful muscle spasms, traumatized-still fear who comes into my room. There are laws, rules against assaulting disabled. Arrest her now!

Examples of her aberrant behavior

Bad judgement, emotional, hysterical, irrational, vicious, mood swings, rage, comes in crying - says boyfriend hits her - fear her.

Several weeks ago, she came into my room with a razor in her hand wanting to shave the hair around my rectum.

Twice she wanted to move me into shower with feces on the inside of shower - said it was rust!

Earlier this year, she came into my room hugged and kissed me and left - unwanted touching - that touching gave her the courage to attack me later.

After she attacked me on 3-18-21, walked out of my room as if nothing happened, talked and laughed with workers; this appears to be normal for her to injure elderly and others.

She feels good, that a sidewalk person could injure, traumatize an innocent elderly with disabilities and nothing will happen to her. Shame was her grandiose! Punish her!

All facility will do is place her on another floor - will not prosecute. She needs anger management and be arrested, charged and convicted to max. in State.

& Federal Courts.

~~Ed. 1000~~ Was this the problem? Early March, Vanessa came into my room solely to help her get Mrs. Wright, a Black CNA fired! She wanted me to say that Mrs. Wright was a bad worker, didn't get along with staff, medical nurse, residents - not true. I refused to support Vanessa to get Mrs. Wright fired. Because Mr. Wright was a very good worker, happy every day, spoke fluent English, intelligent, interested in us. But, Vanessa spoke poor, broken English, interested only in self and her family - burden us with film of them.

P. 4 of 5 D.A., D. Clark

Vanessa got angry and stayed angry that I didn't support her to fire Mrs. Wright.

Mail interception:

B. Jeffrey, Case Manager, came to see me with CNA Ana on April 18, 2021, to tell me that Ana did not mail my 6 letters; she kept them in her car. (There's a statute of limitation to file a complaint.) (She could have precluded my right to file.)

I gave Ana four (4) letters to mail on April 8, 2021, addressed to outside authorities, wherein I reported Vanessa on assaulting me. She returned the 4 letters on April 19, 2021. Kept them 11 days!

Not knowing she did not mail the 4 letters — I gave her two (2) additional letters on April 16, 2021 to mail. Ana returned the 2 letters while Jeffrey was here on April 18, 2021. He made her return all my mail.

I mailed all 6 letters on April 19, 2021.

Apparently she could read the names and addresses of authorities, 6 of them.

Ana is friends with Vanessa — I saw them hugging in the hall, after the assault.

I asked Ana why she did it? Was it to protect Vanessa? She said, "Yes."

Also, at this time, I gave her (not knowing she keeps my mail) a letter to my sister in Massachusetts — never arrived!

Therefore: Want Ana to be charged in State and Federal Court with Vanessa — Ana party to assault too — both to be convicted to max. Ana for mail interference holding, stealing of mail.

Harassment and obscene language

C On Monday, 4-19-21, @ 7:45pm Resident Hector Ortiz-Diaz, Room 1104 loudly yelling, talking in the hallway by my room (few doors down) including after 10:00pm. I closed my door still hear him, couldn't sleep.

On Tuesday, 4-20-21, @ 4:00pm Hector saw me in the hallway, called me crazy, crazy. At the same time Hector and Resident Damien A. Santos, Rm 1102 loudly yelling, talking a long time. Bothered me - hurt my ears.

On Friday, 4-23-21, late afternoon I asked Santos to lower his voice by my room, he said, "I can do what I want, go to your room." I was in the hallway when I spoke to him. I don't want to hear their voice or music in my room.

On Thursday, 4-29-21, @ 12:30pm Hector to me in the hallway, "you f-ck it, go to your room." And at 3:40pm harassed me further by telling CNA nurse who was coming my way, "go check on crazy."

On Friday, 4-30-21, @ 4:30 - 5:00pm Hector called me Mother F--ker, Mother F--ker, Mother F--ker by the elevator area - he won't let me pass by, CNA Mrs. Curtis had to tell him to let me by and to do his Loud talking to Resident Raul Velasquez, Rm. 1122. in day room. I don't want a loud gang by my door!

Please notice, no abuse happened until after 3-18-21, when Vanessa bad mouthed me to others.

P. 5 of 5 D.A., D. Clark

(2:30pm) On Tues. 5-18-21, Hector won't let me pass in hallway, said Mother F--ker, your Father Mother F--ker, your Mother, Mother F--ker, you Mother F--ker. Told CNA Ms. Junior-said that's how they live! He's going to hit me next?

On Wednesday, 5-5-21 about 7:30pm the temporary medical nurse, Janet told Hector, Santos, Black guy to keep quiet several times because of their uncivilized barbarian loud screaming, rioting playing Spanish music behavior; she said, "they won't listen to me, to Police, they only understand jail." Bothers people.

On Thursday, 5-6-21 early morning Santos playing loud Spanish music, continued until aftersupper created a scene with screaming, loud music near my door.

On Friday, 5-7-21 @ 4:46pm, after Jeffrey, Case Mgr., left for home; I said nothing. Hector called me "F--ker, F--ker, F--ker, you can't pass" (he's in a wheelchair) He refused to let me in my room. Two nurses had to contain him, so I could go to my room. There was a scene, yelling.

I have the date some place of the mid-May incident, when Hector hit me with his his wheelchair, while I was waiting for the elevator. Intent was there.

There is more of the same as above in my file, I'll spare you of that now.

Wherefore: For all the above reasons, I demand that Vanessa be prosecuted and

→

Ana and convicted for crimes. Vanessa be fired, arrested for assault and harassment on disabled elderly, and Ana for intercepting, holding mail delivery - Federal crime; and Vanessa for Anger Management; Ana for Sensitivity Training.

Hector Ortiz-Diaz and Damien Santos be charged with harassment and Hector with obscene Language. Restraining Orders needed and punishment for all. My health and safety is threatened - Court needs to do something! Management is not in control.

Hate Crimes against Disabled, White woman. Mgt not in Control?

Dated: May 26, 2021

Bronx County

Copy to:

- 1) The Justice Center
161 Delaware
Delmar NY 12054-1310



Tel. 855-373-2122

- 2) Disability Rights NY
Protection and
Advocacy Network
of NYC
25 Chapel St, Suite 10005
Brooklyn NY 11201



Tel. 516-432-7861

Respectfully submitted,

~~Genevieve Zietek~~

Genevieve Zietek, Rm 1119
% Pinnacle Multicare Nursing
and Rehabilitation Center
801 Co-op City Blvd.
Bronx, NY 10475

Main Tel. no. 718-239-6500

My floor Tel no. 718-239-6414

Ms. Genevieve Dietz
Pinnacle Multicare Nursing
and Rehab Center
801 Co-op City Blvd., Rm 1119
Bronx, NY 10475

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SDNY

Chief Judge Laura Taylor Swain
U.S. District Court for the
Southern District
500 Pearl St.
New York, NY 10007

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Time Limitation Material

